

Calvert.	Morse.
Camp.	Nicholson.
Celaya.	Parkhouse.
Dean.	Patterson.
Dunlap.	Ramsey.
Duvall.	Renfro.
Greathouse.	Riddle.
Kyle of Palo Pinto.	Scarborough.
Laird.	Scott.
Merritt.	Tennyson.

Absent—Excused

Adamson.	Kyle of Hays.
Barrett.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Fisher.	Reader.
Harrison.	Roberts.
Head.	Rogers of Hunt.
Hester.	Savage.
Holloway.	Shults.
Johnson	Stubbeman.
of Dimmit.	Turlington.

RECESS

On motion of Mr. Moffett, the House, at 5 o'clock p. m., took recess to 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bills Nos. 5 and 43, and Senate Bill No. 13.

Conservation and Reclamation: House Bill No. 47.

ELEVENTH DAY

(Continued)

(Tuesday, October 30, 1934)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Russell:

H. B. No. 49, A bill to be entitled "An Act granting to G. W. Witt of

Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, for damages sustained to his property and improvements and grass and crops, and permanent damages to his land, on account of fire destruction of meadow and improvements; etc., and declaring an emergency."

Referred to Committee on State Affairs.

SENATE BILL NO. 2 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 2, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Lower Colorado River Authority, pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate, without power to mortgage or encumber any of its property or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; fixing the boundaries thereof; conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; conferring certain other powers thereon, including the power to control, store, preserve, use, distribute and sell the waters of the Colorado River and its tributaries, and declaring an emergency";

The bill having heretofore been read second time.

Mr. Hartzog offered the following amendment to the bill:

Amend Senate Bill No. 2 by striking out all of Section 15, and inserting in lieu thereof a new Section 15, to read as follows:

"Section 15. The district shall not prevent free public egress and ingress upon or over its property or upon the waters impounded by any dam constructed under the authority of this Act, except at such points where such right would, in the opinion of the board of directors, endanger the physical properties, build-

ings, machinery and/or equipment of the district, or interfere in the proper conduct of its business of storing water or creating power. And no charge shall ever be made to the public for the right to engage in hunting, camping, fishing, boating and swimming thereon.

"All public roads, streets and State highways now traversing the areas to be covered by the impounded waters shall remain open as a way of public passage to and from the lakes created."

(Mr. Butler in the Chair.)

The amendment was adopted.

Mr. Vaughan offered the following amendment to the bill:

Amend Senate Bill No. 2, page 16, Section 19, by changing the figures "\$10,000" to "\$5,000."

The amendment was adopted.

Mr. Daniel offered the following amendment to the bill:

Amend Senate Bill No. 2, Section 10, page 9, lines 36 and 37, by striking out the words and figures "ten million dollars (\$10,000,000)," and insert in lieu thereof the words and figures "eight million five hundred thousand dollars (\$8,500,000)."

DANIEL,
BURNS.

On motion of Mr. Graves, the amendment was tabled.

Mr. Hartzog offered the following amendment to the bill:

Amend Senate Bill No. 2, page 15, line 13, by adding after the period on said line the following:

"Provided that if any of the land owned by the district bordering on the lakes to be created under the authority of this Act be sold, such sale shall be subject to the right of the public to an easement over a strip of land twenty (20) feet wide, bordering the lake, for the purpose of passage, public sports and amusement."

The amendment was adopted.

Mr. Engelhard offered the following amendment to the bill:

Amend Senate Bill No. 2 by striking out after the word "above" on lines 38 and 39 the following words: "what is known as the Buchanan or Hamilton Dam in Burnet County,

Texas," and insert in lieu thereof the following: "the district."

The amendment was adopted.

Mr. Engelhard offered the following amendment to the bill:

Amend Senate Bill No. 2 by striking out at the end of the second line in the last paragraph of Section P-a the words, "the natural flow of."

The amendment was adopted.

Mr. Moore offered the following amendment to the bill:

Amend Senate Bill No. 2 by adding a new section, to be known as Section 19-b, and reading as follows:

"Section 19-b. No bonds issued by the district shall be sold by the district at a less price than the par value thereof plus accrued interest at the time of such sale."

The amendment was adopted.

Mr. Lotief offered the following amendment to the bill:

Amend Senate Bill No. 2 by adding a new Section three (3), as follows:

"Section 3. It is further provided that any person appointed as a director or attorney or receiver of the district shall not be eligible to hold any such employment or appointment in the event such director or attorney or receiver has, during the preceding five (5) years before his appointment or employment, been employed by any electric power and light company, gas company, telephone company, or any other utility company of any kind or character whatsoever; provided further that all persons appointed or employed as director or attorney or receiver of the district as a prerequisite to their appointment or employment shall take and subscribe to an oath and make affidavit that they have not during the preceding five (5) years been employed in any capacity by any of the classes or kinds of utility companies herein referred to and that they have not received any moneys from such character of employment, and such affidavits shall be filed with the Secretary of State of the State of Texas by all such persons appointed or employed, and said affidavits shall be open to public inspection at all times, provided further that none of the provisions hereof

shall apply to any engineer employed by the district."

LOTIEF,
BARRON,
JONES of Runnels,
LINDSEY.

On motion of Mr. Engelhard, the amendment was tabled.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Senate Bill No. 2 was then passed to third reading by the following vote:

Yeas—108

Aikin.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Anderson.	Hunter.
Atchison.	Hyder.
Baker.	Jackson.
Barrett.	James.
Beck.	Jefferson.
Bergman.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Butler.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Canon.	Lange.
Chastain.	Latham.
Clayton.	Lemens.
Colson.	Leonard.
Cowley.	Mackay.
Daniel.	Magee.
Davidson.	McCullough.
Dean.	McGregor.
Devall.	McKee.
Dunagan.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Patterson.
Graves.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hicks.	Roark.
Hill.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Holloway.	Russell.
Hoskins.	Scarborough.

Shannon.
Shults.
Stanfield.
Steward.
Stovall.
Tarwater.
Tennyson.
Thomas.

Tillery.
Townsend.
Van Zandt.
Walker.
Weinert.
Wells.
Young.

Nays—8

Cathey.
Caven.
Crossley.
Lindsey.

Ratliff.
Vaughan.
Wagstaff.
Winningham.

Absent

Barron.
Camp.
Celaya.
Dunlap.
Duvall.
Holland.
Johnson
of Anderson.
Laird.

Long.
Lotief.
Morse.
Parkhouse.
Ramsey.
Scott.
Stinson.
Wood.

Absent—Excused

Adamson.
Bedford.
Coombes.
Fisher.
Harrison.
Hester.
Johnson
of Dimmit.
Mathis.

McDougald.
Ray.
Roberts.
Rogers of Hunt.
Savage.
Smith.
Stubbeman.
Turlington.

PAIRED

Mr. Weinert (present), who would vote "yea," with Mr. Camp (absent), who would vote "nay."

SENATE BILL NO. 2 ON THIRD READING

Mr. Engelhard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Aikin.
Alexander.
Alsup.
Anderson.
Baker.
Barrett.
Beck.
Bergman.

Bourne.
Bradley.
Burns.
Butler.
Calvert.
Canon.
Chastain.
Clayton.

Cowley.	Lindsey.
Daniel.	Lotief.
Davidson.	Mackay.
Dean.	McCullough.
Devall.	McGregor.
Dunlap.	McKee.
Dunagan.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill.	Renfro.
Hodges.	Riddle.
Holekamp.	Roark.
Holloway.	Rogers
Hoskins.	of Ochiltree.
Huddleston.	Rollins.
Hughes.	Russell.
Hunt.	Scarborough.
Hunter.	Shannon.
Hyder.	Shults.
Jackson.	Stanfield.
James.	Steward.
Jefferson.	Stovall.
Johnson	Tarwater.
of Anderson.	Tennyson.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Townsend.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Walker.
Laird.	Weinert.
Lange.	Wells.
Latham.	Winningham.
Lemens.	Wood.
Leonard.	Young.

Nays—6

Cathey.	Kayton.
Caven.	Vaughan.
Crossley.	Wagstaff.

Absent

Atchison.	Holland.
Barron.	Long.
Camp.	Magee.
Celaya.	Parkhouse.
Colson.	Scott.
Duvall.	Stinson.

Absent—Excused

Adamson.	Bedford.
----------	----------

Coombes.	Ray.
Fisher.	Roberts.
Harrison.	Rogers of Hunt.
Hester.	Savage.
Johnson	Smith.
of Dimmit.	Stubbeman.
Mathis.	Turlington.
McDougald.	

The Speaker then laid Senate Bill No. 2 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Aikin.	Hyder.
Alexander.	Jackson.
Alsup.	James.
Anderson.	Jefferson.
Atchison.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Beck.	Kayton.
Bergman.	Kyle of Hays.
Bourne.	Kyle of Palo Pinto.
Bradley.	Laird.
Burns.	Lange.
Butler.	Latham.
Calvert.	Lemens.
Canon.	Leonard.
Chastain.	Lindsey.
Clayton.	Lotief.
Colson.	Mackay.
Cowley.	Magee.
Daniel.	McCullough.
Davidson.	McGregor.
Dean.	McKee.
Devall.	Merritt.
Dunagan.	Metcalfe.
Dwyer.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Patterson.
Graves.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hicks.	Roark.
Hill.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Hoskins.	Russell.
Huddleston.	Scarborough.
Hughes.	Shannon.
Hunt.	Shults.
Hunter.	Stanfield.

Steward.	Van Zandt.
Stovall.	Walker.
Tarwater.	Weinert.
Tennyson.	Wells.
Thomas.	Winningham.
Tillery.	Wood.
Townsend.	Young.

Nays—6

Cathey.	Ratliff.
Caven.	Vaughan.
Crossley.	Wagstaff.

Absent

Barron.	Johnson
Camp.	of Anderson.
Celaya.	Long.
Dunlap.	Parkhouse.
Duvall.	Ramsey.
Holland.	Scott.
Holloway.	Stinson.

Absent—Excused

Adamson.	McDougald.
Bedford.	Ray.
Coombes.	Roberts.
Fisher.	Rogers of Hunt.
Harrison.	Savage.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.
Mathis.	

(Speaker in the Chair.)

HOUSE BILL NO. 31 ON SECOND
READING

On motion of Mr. Clayton, by unanimous consent, the regular order of business was suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 31, A bill to be entitled "An Act validating bonds issued, authorized by ordinance to be issued and/or attempted to be issued under the authority of Articles 1111 to 1118, both inclusive, of the Texas Revised Civil Statutes of 1925, and the amendment thereto contained in Acts, 1933, Forty-third Legislature, page 320, Chapter 122, for the purpose of improving and extending an existing municipal sewer system by Home Rule cities having a population in excess of 100,000 inhabitants, according to the last preceding Federal Census, and which bonds are payable exclusively from the revenue of such systems; etc., and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 31 ON THIRD
READING

Mr. Clayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Barrett.	Laird.
Beck.	Lange.
Bergman.	Lemens.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Long.
Butler.	Lotief.
Calvert.	Mackay.
Canon.	Magee.
Cathey.	McCullough.
Celaya.	McKee.
Chastain.	Merritt.
Clayton.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Munson.
Dunagan.	Nicholson.
Engelhard.	Palmer.
Fain.	Patterson.
Ford.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Goodman.	Ratliff.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Riddle.
Hartzog.	Roark.
Head.	Rollins.
Hicks.	Russell.
Hill.	Scarborough.
Hodges.	Shannon.
Holland.	Shults.
Holloway.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stovall.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Dimmit.	Wagstaff.
Jones of Runnels.	Walker.

Weinert.
Wells.
Winningham.

Wood.
Young.

Absent

Anderson.	Holekamp.
Atchison.	Hunter.
Barron.	Jones of Atascosa.
Camp.	Latham.
Caven.	McGregor.
Colson.	Parkhouse.
Dunlap.	Ramsey.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Golson.	Scott.
Good.	Stinson.
Harris.	

Absent—Excused

Adamson.	McDougald.
Bedford.	Ray.
Coombes.	Roberts.
Fisher.	Rogers of Hunt.
Harrison.	Savage.
Hester.	Smith.
Johnson	Stubbeman.
of Anderson.	Turlington.
Mathis.	

The Speaker then laid House Bill No. 31 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Aikin.	Fuchs.
Alexander.	Glass.
Alsup.	Good.
Baker.	Goodman.
Barrett.	Graves.
Barron.	Greathouse.
Beck.	Griffith.
Bergman.	Hankamer.
Bourne.	Harman.
Bradley.	Head.
Burns.	Hicks.
Butler.	Hill.
Calvert.	Hodges.
Canon.	Holland.
Cathey.	Holloway.
Caven.	Hoskins.
Celaya.	Huddleston.
Chastain.	Hughes.
Clayton.	Hunt.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Johnson
Devall.	of Anderson.
Dunagan.	Jones of Atascosa.
Engelhard.	Jones of Runnels.
Fain.	Jones of Shelby.
Ford.	Kayton.

Kyle of Palo Pinto.	Reed of Bowie.
Laird.	Reed of Dallas.
Lange.	Renfro.
Latham.	Riddle.
Lemens.	Roark.
Leonard.	Rogers
Lindsey.	of Ochiltree.
Long.	Rollins.
Lotief.	Russell.
Mackay.	Scarborough.
Magee.	Shannon.
McCullough.	Shults.
McKee.	Stanfield.
Merritt.	Steward.
Metcalfe.	Stovall.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Moore.	Thomas.
Morrison.	Tillery.
Morse.	Townsend.
Munson.	Van Zandt.
Nicholson.	Vaughan.
Palmer.	Wagstaff.
Patterson.	Walker.
Pavlica.	Wells.
Pope.	Winningham.
Puryear.	Wood.
Ratliff.	Young.
Reader.	

Absent

Anderson.	Holekamp.
Atchison.	Hunter.
Camp.	Kyle of Hays.
Colson.	McGregor.
Dunlap.	Parkhouse.
Duvall.	Ramsey.
Dwyer.	Scott.
Golson.	Stinson.
Harris.	Weinert.
Hartzog.	

Absent—Excused

Adamson.	McDougald.
Bedford.	Ray.
Coombes.	Roberts.
Fisher.	Rogers of Hunt.
Harrison.	Savage.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.
Mathis.	

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 13, "An Act authorizing the Secretary of the Board of Legal Examiners with the approval of the Supreme Court to appoint an assistant to serve during the months of February and March, June and July, October and November; etc., and declaring an emergency."

LEAVES OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Camp was granted leave of absence for yesterday and today, on account of illness in his family, on motion of Mr. Parkhouse.

Mr. Riddle was granted leave of absence for yesterday, on account of important business, on motion of Mr. Jones of Shelby.

RECESS

On motion of Mr. Pope, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

RELATIVE TO EXPENSE ACCOUNT OF MEMBERS

Mr. Metcalfe offered the following resolution:

Whereas, The House has limited the expense account of Members to thirty dollars (\$30) for this Special Session; and

Whereas, It has become necessary for many Members of the House, in the discharge of their duties, to use more than this amount; now, therefore, be it

Resolved by the House of Representatives, That the Chairman of the Contingent Expense Committee be and he is authorized and directed to furnish supplies to the Membership of this House, upon being furnished signed statements by such Members that such supplies are needed in the discharge of their duties as State Representatives.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 26 ON SECOND READING

On motion of Mr. Hankamer, by unanimous consent, the regular order of business was suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act amending Article 1976, of Title 42, Chapter 1, of the 1925 Revised Civil Statutes of the State of Texas, so as to provide the actual possession of property not necessary

to maintain action provided for in Article 1975, Title 42, Chapter 1, of the 1925 Revised Civil Statutes of Texas; providing the manner of service on defendant or defendants in such action, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 26 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Aikin.	Holland.
Alexander.	Hoskins.
Alsup.	Huddleston.
Atchison.	Hunt.
Baker.	Hunter.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bergman.	Jefferson.
Bourne.	Jones of Atascosa.
Burns.	Jones of Runnels.
Canon.	Jones of Shelby.
Caven.	Kyle of Palo Pinto.
Celaya.	Laird.
Chastain.	Lange.
Clayton.	Latham.
Colson.	Leonard.
Cowley.	Lindsey.
Crossley.	Long.
Daniel.	Lotief.
Dean.	Mackay.
Devall.	McCullough.
Dunagan.	Merritt.
Engelhard.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Parkhouse.
Graves.	Patterson.
Griffith.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hill.	Reed of Dallas.
Hodges.	Renfro.
Holekamp.	Riddle.

Roark.
Rogers
 of Ochiltree.
Rollins.
Russell.
Scarborough.
Shannon.
Shults.
Stanfield.
Steward.
Stinson.
Stovall.
Tarwater.

Tennyson.
Thomas.
Tillery.
Townsend.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Wells.
Winningham.
Wood.

Absent

Anderson.
Bradley.
Butler.
Calvert.
Camp.
Cathey.
Davidson.
Dunlap.
Duvall.
Dwyer.
Greathouse.
Hicks.
Holloway.
Hughes.

Johnson
 of Anderson.
Kayton.
Kyle of Hays.
Lemens.
Magee.
McGregor.
McKee.
Metcalf.
Morse.
Pavlica.
Scott.
Young.

Absent—Excused

Adamson.
Bedford.
Coombes.
Fisher.
Harrison.
Hester.
Johnson
 of Dimmit.
Mathis.

McDougald.
Ray.
Roberts.
Rogers of Hunt.
Savage.
Smith.
Stubbeman.
Turlington.

The Speaker then laid House Bill No. 26 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Aikin.
Alexander.
Alsup.
Atchison.
Baker.
Barrett.
Barron.
Beck.
Bergman.
Bourne.
Burns.
Calvert.
Canon.
Caven.
Celaya.
Chastain.
Clayton.

Colson.
Cowley.
Crossley.
Dean.
Devall.
Dunagan.
Engelhard.
Fain.
Ford.
Fuchs.
Glass.
Golson.
Good.
Goodman.
Graves.
Griffith.
Hankamer.

Harman.
Harris.
Hartzog.
Head.
Hill.
Hodges.
Holekamp.
Holland.
Hoskins.
Huddleston.
Hunt.
Hunter.
Hyder.
Jackson.
James.
Jefferson.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kyle of Palo Pinto.
Laird.
Latham.
Leonard.
Lindsey.
Long.
Lotief.
Mackay.
Magee.
McCullough.
Merritt.
Mitcham.
Moffett.
Moore.
Morrison.
Munson.
Nicholson.

Parkhouse.
Patterson.
Pope.
Purvey.
Ramsey.
Ratliff.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Riddle.
Roark.
Rogers
 of Ochiltree.
Rollins.
Russell.
Scarborough.
Shannon.
Shults.
Stanfield.
Steward.
Stinson.
Tarwater.
Tennyson.
Thomas.
Tillery.
Townsend.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Wells.
Winningham.
Wood.

Absent

Anderson.
Bradley.
Butler.
Camp.
Cathey.
Daniel.
Davidson.
Dunlap.
Duvall.
Dwyer.
Greathouse.
Hicks.
Holloway.
Hughes.

Johnson
 of Anderson.
Kayton.
Kyle of Hays.
Lange.
Lemens.
McGregor.
McKee.
Metcalf.
Morse.
Palmer.
Pavlica.
Scott.
Stovall.
Young.

Absent—Excused

Adamson.
Bedford.
Coombes.
Fisher.
Harrison.
Hester.
Johnson
 of Dimmit.
Mathis.

McDougald.
Ray.
Roberts.
Rogers of Hunt.
Savage.
Smith.
Stubbeman.
Turlington.

HOUSE BILL NO. 23 ON SECOND
READING

On motion of Mr. Alexander, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district; etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Puryear offered the following amendment to the bill:

Amend House Bill No. 23, page 1, line 27, by adding at end of sentence, "not to exceed ten weeks."

The amendment was adopted.

Mr. Alexander offered the following amendment to the bill:

Amend House Bill No. 23 by striking out all of Section 5, and inserting in lieu thereof the following:

"Section 5. The fact that the term of court for Childress County now begins on the first Monday in January and in order that the first term of the court for the respective counties constituting the One Hundredth Judicial District may, for the year 1935 and each succeeding year until changed by law, be commenced and held under the terms of this Act, and such terms of court be uniformly held during the year 1935 and succeeding years until changed, creates an emergency and imperative public necessity demanding that the constitutional rule, requiring bills to be read on three several days, be suspended, and that this Act take effect from and after January 1, 1935, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 23 was then passed to engrossment.

HOUSE BILL NO. 23 ON THIRD
READING

Mr. Alexander moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Atchison.	Kyle of Palo Pinto.
Barrett.	Laird.
Barron.	Lange.
Beck.	Latham.
Bergman.	Lemens.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Long.
Camp.	Lotief.
Canon.	Mackay.
Cathey.	McCullough.
Celaya.	McGregor.
Chastain.	McKee.
Clayton.	Merritt.
Cowley.	Metcalfe.
Daniel.	Mitcham.
Davidson.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Munson.
Duvall.	Nicholson.
Fain.	Palmer.
Ford.	Parkhouse.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Graves.	Reader.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Hartzog.	Roark.
Head.	Rogers
Hill.	of Ochiltree.
Hodges.	Rollins.
Holekamp.	Russell.
Holloway.	Scarborough.
Hoskins.	Shannon.
Huddleston.	Shults.
Hunt.	Stanfield.
Hunter.	Steward.
Hyder.	Stovall.
Jackson.	Tarwater.
James.	Tennyson.
Jefferson.	Thomas.
Johnson	Tillery.
of Anderson.	Townsend.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Vaughan.

Wagstaff.	Winningham.
Walker.	Wood.
Weinert.	Young.
Wells.	

Absent

Anderson.	Greathouse.
Baker.	Hicks.
Butler.	Holland.
Calvert.	Hughes.
Caven.	Magee.
Colson.	Morse.
Crossley.	Patterson.
Dunlap.	Pavlica.
Dwyer.	Scott.
Engelhard.	Stinson.
Goodman.	

Absent—Excused

Adamson.	McDougald.
Bedford.	Ray.
Coombes.	Roberts.
Fisher.	Rogers of Hunt.
Harrison.	Savage.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.
Mathis.	

The Speaker then laid House Bill No. 23 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Aikin.	Glass.
Alexander.	Golson.
Alsup.	Good.
Atchison.	Graves.
Baker.	Griffith.
Barrett.	Hankamer.
Barron.	Harman.
Beck.	Harris.
Bergman.	Hartzog.
Bourne.	Head.
Bradley.	Hill.
Burns.	Hodges.
Camp.	Holekamp.
Canon.	Holloway.
Cathey.	Hoskins.
Celaya.	Huddleston.
Chastain.	Hunt.
Clayton.	Hunter.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Johnson
Devall.	of Anderson.
Dunlap.	Jones of Atascosa.
Dunagan.	Jones of Runnels.
Fain.	Jones of Shelby.
Ford.	Kayton.
Fuchs.	Kyle of Hays.

Kyle of Palo Pinto.	Reed of Dallas.
Laird.	Renfro.
Lange.	Riddle.
Latham.	Roark.
Lemens.	Rogers
Leonard.	of Ochiltree.
Lindsey.	Rollins.
Long.	Russell.
Lotief.	Scarborough.
Mackay.	Shannon.
McCullough.	Shults.
McGregor.	Stanfield.
McKee.	Steward.
Merritt.	Stovall.
Metcalf.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Tillery.
Morrison.	Townsend.
Munson.	Van Zandt.
Nicholson.	Vaughan.
Palmer.	Wagstaff.
Parkhouse.	Walker.
Pope.	Weinert.
Puryear.	Wells.
Ramsey.	Winningham.
Ratliff.	Wood.
Reader.	Young.
Reed of Bowie.	

Absent

Anderson.	Hicks.
Butler.	Holland.
Calvert.	Hughes.
Caven.	Magee.
Colson.	Morse.
Duvall.	Patterson.
Dwyer.	Pavlica.
Engelhard.	Scott.
Goodman.	Stinson.
Greathouse.	

Absent—Excused

Adamson.	McDougald.
Bedford.	Ray.
Coombes.	Roberts.
Fisher.	Rogers of Hunt.
Harrison.	Savage.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.
Mathis.	

HOUSE BILL NO. 21 ON SECOND READING

On motion of Mr. Wells, the regular order of business was suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 21, A bill to be entitled "An Act amending Sections 1, 4, 6, and 8, of Chapter 162, House Bill No. 154, Acts of Regular Session of

the Forty-third Legislature, and Section 2, with the exception of Subdivision 1, thereof, and Sections 3, 5, and 9, of Chapter 162, House Bill No. 154, as amended by Chapter 12, House Bill No. 55, Acts of the First Called Session of the Forty-third Legislature, defining certain words and terms; providing for credit for taxes paid by mistake; providing that tax levied shall be a liability on producer, first purchaser and subsequent purchasers; etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Wells offered the following amendments to the bill:

(1)

Amend House Bill No. 21 by striking out Section 1, Subsection (1), page 1, and substitute in lieu thereof the following:

"Section 1 (1). For the purpose of this Act 'producer' shall mean any person, persons, corporation, partnership, individual, trustee, receiver, trust estate, executor or administrator, owning, controlling, managing or in leasing, or having an interest in any oil well, or production therefrom, or any person who produces in any manner, either by himself or through his agent, lessee, trustee, or otherwise, any oil by taking it from the earth or waters in this State either by himself, or through his agent, lessee, trustee or otherwise."

(2)

Amend House Bill No. 21, page 5, Section 3 (1), by adding in the eighth line after the word "delivery" the following words: "number of barrels of oil sold and/or delivered."

The amendments were severally adopted.

Mr. Wells offered the following amendments to the bill:

(1)

Amend House Bill No. 21, page 4, Section 3 (1), by adding in the twelfth line after the word "oil" the following words: "number of barrels of oil sold."

(2)

Amend House Bill No. 21, page 7, Section 8, by adding in the first line after the words "subsequent pur-

chasers" the following words: "royalty owners."

The amendments were severally adopted.

Mr. Moore offered the following amendment to the bill:

Amend House Bill No. 21 by striking out Subdivision 5, of Section 1, and inserting in lieu thereof the following:

"Oil shall mean crude petroleum oil or other oil taken from the earth."

The amendment was adopted.

Mr. Wells offered the following amendment to the bill:

Amend House Bill No. 21, page 3, by adding the following to be known as Subsection (1) of Section 2:

"(1) There is hereby levied an occupation tax on oil produced within this State of two (2) cents per barrel of forty-two (42) standard gallons. Said tax shall be computed upon the total barrels of oil produced or salvaged from the earth or waters of this State without any deductions, and shall be based upon tank tables showing one hundred per cent (100%) of production and exact measurements of contents. Provided, however, that the occupation tax herein levied on oil shall be two per cent (2%) of the market value of said oil whenever the market value thereof is in excess of one dollar (\$1.00) per barrel of forty-two (42) standard gallons. The market value of oil, as that term is herein used, shall be the actual market value thereof, plus any bonus or premium, or other thing of value paid therefor or which such oil does or will reasonably bring, if produced in accordance with the laws, rules and regulations of the State of Texas."

The amendment was adopted.

Mr. Wells offered the following amendment to the bill:

Amend House Bill No. 21, page 2, Section 1, lines 16 and 17, by striking out the following words: "with exception of Subdivision 1 thereof."

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill No. 21 by adding a new section to read as follows:

"If any section, clause, provision or portion of this Act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section or clause of this Act."

The amendment was adopted.

Mr. Aikin offered the following amendment to the bill:

Amend House Bill No. 21, page 8, lines 30 and 31, by striking out the words and figures "\$3,000," and insert the words and figures "\$2,750."

AIKIN,
CANON.

The amendment was adopted.

Mr. Aikin offered the following amendment to the bill:

Amend House Bill No. 21, page 8, lines 32 and 33, by striking out the words and figures "\$2,750," and insert in lieu thereof the words and figures "\$2,500."

AIKIN,
CANON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Mr. Latham offered the following amendment to the bill:

Amend House Bill No. 21, page 8, Section 9, line 39, by adding at the end of said line the following: "Provided that said appropriation herein provided for shall include as a part of said one per cent (1%) of said tax herein appropriated, the appropriation made by the Regular Session of the Forty-third Legislature for said Comptroller's Department, for the purpose herein mentioned."

LATHAM,
DUNAGAN.

The amendment was adopted.

Mr. Aikin offered the following amendment to the bill:

Amend House Bill No. 21 by striking out all of Section 9.

AIKIN,
CANON,
REED of Bowie.

(Mr. Dunagan in the Chair.)

Mr. Long moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—30

Alexander.	Long.
Barrett.	Mackay.
Burns.	McKee.
Chastain.	Moffett.
Clayton.	Munson.
Cowley.	Nicholson.
Dean.	Ratliff.
Ford.	Reader.
Hankamer.	Renfro.
Holland.	Rogers
Hoskins.	of Ochiltree.
Jackson.	Rollins.
Jones of Runnels.	Wagstaff.
Kyle of Palo Pinto.	Wells.
Leonard.	Wood.
Lindsey.	

Nays—70

Aikin.	Kyle of Hays.
Alsup.	Latham.
Atchison.	Lemens.
Baker.	Lotief.
Barron.	McCullough.
Beck.	McGregor.
Bergman.	Merritt.
Bourne.	Mitcham.
Bradley.	Moore.
Calvert.	Morrison.
Camp.	Palmer.
Canon.	Parkhouse.
Cathey.	Pope.
Caven.	Puryear.
Celaya.	Reed of Bowie.
Crossley.	Reed of Dallas.
Devall.	Riddle.
Dunlap.	Roark.
Fain.	Russell.
Glass.	Savage.
Golson.	Scarborough.
Goodman.	Shannon.
Harris.	Shults.
Hartzog.	Stanfield.
Hill.	Steward.
Hodges.	Stovall.
Holekamp.	Tarwater.
Holloway.	Tennyson.
Huddleston.	Thomas.
Hunter.	Tillery.
Hyder.	Townsend.
James.	Vaughan.
Johnson	Walker.
of Anderson.	Winningham.
Jones of Shelby.	Young.
Kayton.	

Absent

Anderson.	Colson.
Butler.	Daniel.

Davidson.	Jefferson.
Dunagan.	Jones of Atascosa.
Duvall.	Laird.
Dwyer.	Lange.
Engelhard.	Magee.
Fuchs.	Metcalf.
Good.	Morse.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Ramsey.
Harman.	Scott.
Head.	Stinson.
Hicks.	Van Zandt.
Hughes.	Weinert.
Hunt.	

Absent—Excused

Adamson.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Fisher.	Roberts.
Harrison.	Rogers of Hunt.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.

Question—Shall the amendment by Mr. Aikin be adopted?

ADJOURNMENT

Mr. Moffett moved that the House adjourn until 10 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—67

Alexander.	Hughes.
Atchison.	Jackson.
Barrett.	Jefferson.
Beck.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Calvert.	Kyle of Hays.
Caven.	Kyle of Palo Pinto.
Chastain.	Lemens.
Clayton.	Leonard.
Colson.	Lindsey.
Crossley.	Long.
Dean.	McCullough.
Ford.	McKee.
Fuchs.	Merritt.
Glass.	Mitcham.
Golson.	Moffett.
Goodman.	Moore.
Hankamer.	Munson.
Harris.	Nicholson.
Hartzog.	Palmer.
Hill.	Parkhouse.
Holekamp.	Puryear.

Ratliff.	Stanfield.
Reader.	Steward.
Reed of Dallas.	Stovall.
Renfro.	Tennyson.
Riddle.	Townsend.
Rogers	Van Zandt.
of Ochiltree.	Wagstaff.
Rollins.	Wells.
Shannon.	Wood.
Shults.	Young.

Nays—34

Aikin.	James.
Alsup.	Laird.
Baker.	Lotief.
Barron.	McGregor.
Bergman.	Morrison.
Canon.	Pope.
Cathey.	Reed of Bowie.
Celaya.	Roark.
Davidson.	Russell.
Devall.	Savage.
Fain.	Scarborough.
Head.	Tarwater.
Hodges.	Thomas.
Hoskins.	Tillery.
Huddleston.	Vaughan.
Hunter.	Walker.
Hyder.	Winningham.

Absent

Anderson.	Holloway.
Butler.	Hunt.
Camp.	Johnson
Cowley.	of Anderson.
Daniel.	Lange.
Dunlap.	Latham.
Dunagan.	Mackay.
Duvall.	Magee.
Dwyer.	Metcalf.
Engelhard.	Morse.
Good.	Patterson.
Graves.	Pavlica.
Greathouse.	Ramsey.
Griffith.	Scott.
Harman.	Stinson.
Hicks.	Weinert.
Holland.	

Absent—Excused

Adamson.	Mathis.
Bedford.	McDougald.
Coombes.	Ray.
Fisher.	Roberts.
Harrison.	Rogers of Hunt.
Hester.	Smith.
Johnson	Stubbeman.
of Dimmit.	Turlington.

The House, accordingly, at 4:55 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Revenue and Taxation: House Bill No. 44.

Education: House Bill No. 39.

REPORT OF THE COMMITTEE ON
ENGROSSED BILLS

Committee Room,
Austin, Texas, October 30, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 31, A bill to be entitled
"An Act validating bonds issued, au-
thorized by ordinance to be issued
and/or attempted to be issued under
the authority of Articles 1111 to 1118,
both inclusive, of the Texas Revised
Civil Statutes of 1925, and the amend-
ment thereto contained in Acts, 1933,
Forty-third Legislature, page 320,
Chapter 122, for the purpose of im-
proving and extending an existing
municipal sewer system by Home
Rule cities having a population in ex-
cess of 100,000 inhabitants, according
to the last preceding Federal Census,
and which bonds are payable ex-
clusively from the revenue of such
systems; etc., and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

In Memory of Hon. Waldo P. Green

Mr. Wagstaff offered the following resolution:

Whereas, On October 25, 1934, Honorable Waldo P. Green, of Abilene, Texas, who served as a Member of the Thirty-eighth Legislature as Representative from Taylor County, was called to his eternal reward; and

Whereas, He served in the United States Navy during the World War and afterwards served with distinction in the Texas National Guard and rendered distinguished services to his State, both as a private citizen and as a public official; and

Whereas, The Members of this Body are deeply grieved over the passing of this useful citizen and former Member of this Body and desire to express their sympathy to the members of his family and friends; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, That we express our most sincere and deepest sympathy to his family and friends; that a copy of this resolution be spread on the Journal of the House; that a copy be furnished the family of the deceased, and that when we adjourn today it be in his memory.

WAGSTAFF,
AIKIN,
DANIEL.

The resolution was read second time.

On motion of Mr. Chastain, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was unanimously adopted.